

VILLAGE OF CROTON ON HUDSON, NEW YORK
PLANNING BOARD MEETING MINUTES – TUESDAY, December 13, 2011

MEMBERS PRESENT: Robert Luntz, Chairman
 Mark Aarons
 Fran Allen
 Bruce Kauderer
 Steven Krisky

ALSO PRESENT: Daniel O'Connor, Village Engineer

1. Call to Order

Meeting called to order at 8:06 p.m. by Chairman Luntz.

2. OLD BUSINESS

- a) *Referral from Village Board regarding recirculation of Local Law Introductory No. 3 of 2010 (Draft Law) to repeal Local Law No. 4 of 2009 and enact zoning code provisions to expand the Harmon/South Riverside Gateway area and to modify the regulations for that area to encourage commercial development by facilitating market rate mixed use of properties (the "Proposed Action").*

Mr. Jim Staudt, village attorney, was present.

Mr. Aarons asked for a review of what had been decided at the previous meeting about the parking provisions. Mr. Kauderer responded that the Planning Board had decided to recommend removing the provision that allowed the Village Board to increase the parking (3-2 with Ms. Allen and Mr. Aarons against).

Mr. Aarons stated, for the record, that he did not believe the number of students that had been calculated by Saccardi & Schiff was accurate. Mr. Aarons did not think comparing Croton with White Plains was an appropriate comparison. A brief discussion followed regarding the calculation of school children in relation to the proposed size of apartments.

Mr. Kauderer made a motion on accepting the memorandum to send to the Village Board, seconded by Ms. Allen, and carried by a vote of 4-1 (Mr. Aarons opposing).

3. PUBLIC HEARING

- a) *Steel Style Properties, LLC -- 50 Half Moon Bay Drive (Sec. 78.16 Blk. 1 Lot 3) -- Application for an Amended Site Plan, Wetlands Activity Permit, and Steep Slopes permit for new single-family dwelling.*

Mr. Mastromonaco referred to a letter he had submitted on December 5, 2011 which responded to various committees' reviews of his client's application. Mr. Mastromonaco stated he had met with HMB HOA to discuss this application and as a result of this discussion, he make a change to the roofline of the house. Again, he emphasized that this application is for a single-family house, and from his point of view, the plans were constructed to all zoning rules.

Ms. Lisa Stenson-Desamours, President of the HOA, stated that there are some residents who are concerned about this construction. The primary concern of the residents of Half Moon Bay is the potential diminished views of the Hudson.

Ms. Stenson stated that members of the HOA met with Steel Style and they requested 1) that the design of the house have as low a roof line as possible to minimize any diminished scenic views, 2) that in developing the parcel, scenic views are protected and do not adversely affect the site, 3) that the driveway be constructed on the lower parking lot and not on Half Moon Bay Drive and 4) that the new homeowner should have their own water and sewer meter.

Jan Wines, Chair of Trails Committee, stated that he was concerned with the trail plan as it was presented; the trail area seemed very steep and would not be comfortable for people to walk on.

Ann Lindau, Secretary of Phase II HMB and resident of HMB, stated that she had taken a poll of residents and that the vast majority of respondents were against the house being built. She thought that an independent engineering study should be conducted.

Gordon Baptiste, Half Moon Bay resident, stated that the single most important issue for him is the first impression when one drives over the bridge. He stated that the house is right on the spot where one has a view.

Joan Blutreich, Half Moon Bay resident, stated that she was against the proposed house because it overpowered the buildings around it and she also believed that the majority of HMB homeowners are against this.

Anna Lattanzi, Half Moon Bay resident, asked about the suggestion that had been made previously regarding an overlay to the trail plans so that everyone could see where the original trail would have run and to where it is being relocated. She also expressed concern about whether the applicant was going to dedicate the mooring fields to the village given that this had been spoken of in 2002.

Pete Drexler, Half Moon Bay resident, stated that he believed the proposed structure would diminish the views of the Hudson River.

David Plotkin, applicant, stated that he has been a good neighbor for seventeen years, pays his taxes and it is his intention to donate the mooring fields. His family lives at Half Moon Bay and would like the Planning Board to look at the positive aspects of the application. He would never do anything to hurt the community and believes he is honoring all agreements.

Gordon Baptiste, Half Moon Bay resident, stated that he had forgotten to say that he applauds the efforts of Mr. Plotkin to compromise and appreciates Mr Plotkin's family however the site is not appropriate for a big house and given that, in his opinion, it compromises the view of the Hudson River.

Mr. Mastromonaco presented the applicant's response to the public's and the village committees' comments: the current rendering of the house with the lower roofline takes into account the residents' concerns about the view; there is no fence which would obscure

a view either from driving by or from a person's property; and the preferred driveway to the house is through the municipal parking lot not through Half Moon Bay's driveway. He and the applicant discussed the idea of making the house two levels, not three, but his client does not want to make the house two levels.

Mr. Mastromonaco stated that, in his opinion, his analysis of the density requirement was accurate, and he reminded the Planning Board that constructing a single family home seems to have the least impact given that the piece of property was originally designed to be a restaurant. He believed that the proposed dwelling was in keeping with the character of the neighborhood. Mr. Mastromonaco reiterated that the donation of the mooring fields was being offered as mitigation.

The Planning Board reviewed the rendering of the proposed house. Ms. Allen thought the house was very big and that the trail as marked was too dangerous to walk on.

Mr. Kauderer stated that given the Village Engineer was not in agreement with Mr. Mastromonaco's calculations the applicant has to submit an application to the Zoning Board. The Planning Board's discussion should not continue until after the ZBA's determination. The public hearing would continue to be open.

There was further discussion about the walkway. The Village Engineer stated that the path is being shifted into the conservation easement and, at the appropriate time, the trail will have to be looked at in much greater detail to ensure that it is safe.

Ms. Allen stated that she had visited the site recently and that because of the recent storms, there was no longer an embankment making this a very unsafe and dangerous area. She believes that the applicant needs to provide an analysis of the steep slopes.

Mr. Kauderer agreed that a discussion about trails and slopes should take place but it was premature since this was no longer an "as of right" project and the applicant may require a variance from the Zoning Board. The Village Engineer has requested further calculations on the density calculation, and the Planning Board should not proceed until the applicant has applied to the ZBA. Chairman Luntz agreed that the density issue had to be addressed.

Mr. Kauderer made a motion to keep the public hearing open and refer the applicant to the Zoning board, seconded by Mr. Krisky, and carried by a vote of 4-1 (Ms. Allen opposed).

4. NEW BUSINESS

a) Referral from the Village Board of a special permit application for an accessory apartment located at 91 Truesdale Drive – (Sec. 79.09 Blk. 5 Lot 6)

Dayton and Megan Guinee presented their application for a special permit for an accessory apartment referred by the Village Board to the Planning Board. This application had been presented to the ZBA and the applicants were granted a front yard variance. They described their intention to build an accessory apartment for their retired parents (over age 55). They are not planning to use it to generate any income.

The Planning Board discussed some of the architectural details of the plan, access to the apartment, the total square footage of the house, and parking.

The Planning Board reviewed the application according to the objectives as set forth in Section 230-58 of the Village Code and agreed that the application was consistent with these goals. It was noted in particular that the proposed addition of the apartment was in keeping with the character of the neighborhood, and there would be no environmental impact.

Mr. Aarons moved to recommend to the Village Board that the application for a special permit be granted for an accessory apartment, seconded by Mr. Krisky, and carried by a vote of 5-0 all in favor.

4. APPROVAL OF MINUTES

Mr. Krisky made a motion to approve the minutes of Tuesday, October 11, 2011, seconded by Mr. Kauderer, and carried by a vote of 4- 0, all in favor.

5. ADJOURMENT

There being no further business to come before the board, the meeting was duly adjourned at 10:04 p.m.

Respectfully submitted,

Ronnie Rose
Planning Board Secretary